

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLES MIMS, JR.,)	
)	8:04cv511
Plaintiff,)	
)	MEMORANDUM AND ORDER
vs.)	(appeal)
)	
UNITED PARCEL SERVICE ,)	
)	
Defendant.)	

This matter is before the court on the Notice of Appeal and Motion for Leave to Proceed in Forma Pauperis ("IFP") on appeal (filing nos. 59 and 60) filed by the plaintiff, Charles Mims, Jr. The plaintiff, who was previously represented by counsel, is now proceeding pro se. The plaintiff appeals the Memorandum and Order (filing no. 57) and Judgment (filing no. 58), in which the court dismissed the above-entitled case.

The plaintiff qualifies financially to proceed IFP. In addition, a district court must determine whether an IFP appeal is taken in good faith. See 28 U.S.C. § 1915(a)(3). Having considered the record in this action, the court finds that the appeal is taken in good faith. Therefore, filing no. 60 is granted, and the Clerk of Court shall process the appeal to the Eighth Circuit Court of Appeals.

SO ORDERED.

DATED this 13th day of April, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
Chief District Judge